

Garland, Samuel & Loeb, P.C.

TRIAL ATTORNEYS

3151 Maple Drive, N.E.
Atlanta, Georgia 30305
Telephone (404) 262-2225
Facsimile (404) 365-5041
www.gslaw.com

Edward T. M. Garland
Donald F. Samuel
Robin N. Loeb
David E. Tuszynski
Anne H. Coolidge-Kaplan
John A. Garland
Amanda R. Clark Palmer
Kristen Wright Novay
Matthew D. Daley

July 8, 2014

Hon. John Gleeson
U.S. District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Reuben A. Garland (1903-1982)

Re: UNITED STATES v. ROBERT SIMELS
Case No. 13 CV 1224 (JG)
Case No. 08 CR 640 (JG)

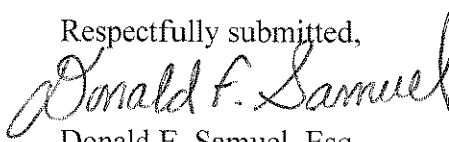
Dear Judge Gleeson:

The deadline for filing a Notice of Appeal for both the denial of the Rule 33 Motion and the 28 U.S.C. § 2255 petition is this week. The docket only shows the oral Order being entered in the civil case. We are therefore not able to appeal the denial of the Rule 33 motion, because (though it was a ruling in the criminal case), there is no docket entry for the Order in the criminal docket.

I am requesting that the clerk be directed to file the Order (which currently appears as Docket entry 26 in the civil case), in the criminal docket, as well.

Thank you for your attention to this matter.

Respectfully submitted,


Donald F. Samuel, Esq.

DFS/hh